

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

vs.

NOTICE OF MOTION AND MOTION  
21-CR-118

BRANDON KIDDER

Defendant.

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**PLEASE TAKE NOTICE**, that the undersigned DOMINIC SARACENO, ESQ., attorney for the defendant, BRANDON KIDDER, based upon the following affirmation hereby moves for a 60-day adjournment of the December 17, 2021 sentencing date.

**AFFIRMATION**

1. I am an attorney at law duly licensed to practice in the State of New York and in the Western District of New York with offices located at 534 Delaware Avenue, Buffalo, New York 14202.
2. This affirmation is offered in support of counsel's request for an adjournment of the above referenced sentencing date.
3. The Court previously entered a sentencing date of December 17, 2021.
4. Since the entry of the above-referenced order, I have retained a psychiatrist to evaluate the defendant and assist me in preparing a sentencing memorandum.
5. The doctor has been delayed in her evaluation of the defendant because the two correctional facilities that housed the defendant took longer than expected to provide the defendant's medical records.

6. As such, the defense requires additional time to prepare for sentencing.
7. The defense is making this motion on behalf of Brandon Kidder.
8. Assistant United States Attorney CAITLIN HIGGINS has consented to adjourning the sentencing date.
9. The defendant agrees that the additional time allowed is excludable under the Speedy Trial Act.

**WHEREFORE**, for the reasons set forth above, defendant, BRANDON KIDDER, respectfully requests an Order from this Court granting an adjournment of the sentencing date.

s/ Dominic Saraceno, Esq.

DOMINIC SARACENO, ESQ.  
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**CERTIFICATE OF SERVICE**

21-CR-118

I hereby certify that on November 9, 2021, I electronically filed the foregoing with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following EM/EF Participant on this case:

CAITLIN HIGGINS, AUSA  
138 Delaware Avenue  
Buffalo, New York 14202

s/Dominic Saraceno

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DOMINIC SARACENO